

RICHARD J. IDELL (SBN 069033)  
 ORY SANDEL (SBN 233204)  
 ELIZABETH J. REST (244756)  
 IDELL AND SEITEL LLP  
 465 California Street, Suite 300  
 San Francisco, CA 94104  
 Telephone: (415) 986-2400  
 Facsimile: (415) 392-9259

Attorneys for Plaintiff and Counter Defendant  
 BRUNI GLASS PACKAGING, INC. and for  
 Counter-Defendant BRUNI GLASS, S.p.A.

KELLI GEORGE (SBN 225689)  
 LAW OFFICES OF THOMAS O'HAGAN  
 1999 Harrison Street, Suite 2070  
 Oakland, CA 94612  
 Telephone: (510) 587-1600  
 Facsimile: (510) 587-0056

Attorneys for Counter-Defendant  
 BRUNI GLASS PACKAGING, INC.

PHILIP J. TERRY (SBN 148144)  
 ANGELA G. DENNIS (SBN 232598)  
 CARLE, MACKIE, POWER & ROSS LLP  
 100 B Street, Suite 400  
 Santa Rosa, California 95401  
 Telephone: (707) 526-4200  
 Facsimile: (707) 526-4707

Attorneys for Defendant and Counterclaimant  
 COPAIN WINE CELLARS, LLC

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

BRUNI GLASS PACKAGING, INC., a Florida  
 corporation,

Plaintiff,

v.

COPAIN WINE CELLARS, LLC, a California  
 limited liability company, and DOES 1-100

CASE NO. CV 09-02398 CW

**CASE MANAGEMENT ORDER**

**Date:** April 6, 2010  
**Time:** 2:00 p.m.  
**Place:** 1301 Clay Street, Suite 400 S  
 Oakland, CA 94612-5212  
**Courtroom:** 2, 4<sup>th</sup> Floor

1 inclusive,

2 Defendants.

3 AND RELATED COUNTERCLAIM

**Honorable Claudia Wilken**

(e-filing)

4 Plaintiff and Counter-Defendant BRUNI GLASS PACKAGING, INC., a Florida corporation  
5 (“Plaintiff/Counter-Defendant”), and Defendant and Counterclaimant COPAIN WINE CELLARS,  
6 LLC, a California limited liability company (“Defendant/Counterclaimant”), submit this Joint  
7 Statement in lieu of Joint Case Management Statement. Plaintiff/Counter-Defendant and  
8 Defendant/Counterclaimant are collectively referred to herein as the “Parties.”

9 On August 21, 2009, the Court ordered the Parties to the Court’s mediation program.  
10 Mediation through the Court’s mediation program was held on December 15, 2009, with Michael A.  
11 Duncheon of Hanson Bridgett LLP serving as mediator. The Parties were unable to reach a settlement.

12 The Parties subsequently agreed to participate in private mediation with J.A.M.S., the  
13 Honorable Judge Scott Snowden (Ret.) serving as mediator.

14 Private mediation with the Honorable Judge Scott Snowden (Ret.) was held on March 12, 2010.  
15 The Parties reached a settlement in principle at mediation and settlement documents are being drafted.  
16 Absent any unforeseen issues in finalizing the settlement, the Parties anticipate filing a Stipulation for  
17 Dismissal of the entire action once the settlement documents are completed and executed.

18 The Parties jointly respectfully request that the Court cancel the Case Management Conference  
19 currently scheduled for April 6, 2010, at 2:00 p.m., and continue the Case Management Conference for  
20 sixty (60) days to allow them time to formalize the settlement of this matter and file a Stipulation for  
21 Dismissal.

22 IDELL & SEITEL LLP

23 Dated: \_\_\_\_\_, 2010

By:

24 Richard J. Idell  
25 Elizabeth J. Rest  
26 Attorneys for Plaintiff and Counter-Defendant BRUNI  
GLASS PACKAGING, INC., a Florida corporation

27 LAW OFFICES OF THOMAS O’HAGAN

1 Dated: \_\_\_\_\_, 2010

By: \_\_\_\_\_

2 Kelli George  
3 Attorneys for Counter-Defendant BRUNI GLASS  
4 PACKAGING INC.

5 CARLE, MACKIE, POWER & ROSS LLP

6 Dated: March 23, 2010

By: \_\_\_\_\_ /s/ Phillip J. Terry, with permission

7 Phillip J. Terry  
8 Angela G. Dennis  
9 Attorneys for Defendant and Counter-Claimant COPAIN  
10 WINE CELLARS, LLC, a California limited liability co.

11 **CASE MANAGEMENT ORDER**

12 The Case Management Conference currently scheduled for April 6, 2010, at 2:00 p.m. is  
13 canceled.

14 The next Case Management Conference is scheduled for **June 8, 2010 at 2:00 p. m.**, which  
15 will allow the Parties time to formalize the settlement of this matter and file a Stipulation for  
16 Dismissal.

17 Dated: 3/25/2010

18 

19 United States District Judge Claudia Wilken  
20  
21  
22  
23  
24  
25  
26  
27  
28